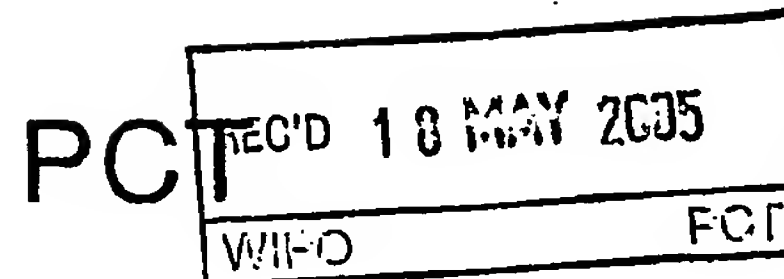


PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY



To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IB2005/050942

International filing date (day/month/year)
18.03.2005

Priority date (day/month/year)
26.03.2004

International Patent Classification (IPC) or both national classification and IPC
G06F1/00

Applicant
KONINKLIJKE PHILIPS ELECTRONICS N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050942

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2005/050942

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-15
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-15
Industrial applicability (IA)	Yes: Claims	1-15
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1 Reference is made to the following document:

D1 : US 2003/018491 A1 (NAKAHARA TOHRU ET AL) 23 January 2003 (2003-01-23)

2 INDEPENDENT CLAIMS 1, 8 AND 15

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not inventive in the sense of Article 33(3) PCT. Document D1 discloses (the references in parentheses applying to this document): a method of providing conditional access to a data content item for a number of users (par.[1]), where the data content item is associated with a digital right (par.[44], lines 3-5), the digital right providing any user of a group of users the right to access the data content item a predetermined number of times (par.[52], lines 1-6), the method comprising the step of reserving a number of available rights, resulting in a number of reserved sub-rights, when a user of a group of users initiates access to the data content item as a new session (par.[378]).

The difference between subject-matter of claim 1 and D1 is the following:

- (a) the data content item is arranged in a number of subparts,
- (b) the digital right is arranged in a number of sub-rights, each available sub-right providing any user of a group of users the right to access a subpart of the data content item, (and, accordingly, a difference in the reserving step, namely, reserving a number of available sub-rights), and
- (c) granting a user of the group of users access to the data content item if the allowable digital right allows this.

The identified differences do not make the subject-matter of claim 1 inventive over the prior art for the following reasons:

1. feature (a) represents just a normal case when a content item is a multi-media content, and feature (b) is no more than an obvious design choice when assigning digital rights to such a content;

2. feature (c) is included in the step of reserving rights in D1, since it is obvious that the license management unit will not reserve the rights for a user if he does not have access to the content at all, and making the granting a separate step represents simply a design choice for a skilled person.

Together, the identified differences represent simply a juxtaposition of trivial features having no unexpected technical effect, therefore, the subject-matter of claim 1 is not inventive.

The same reasoning applies, mutatis mutandis, to corresponding claims 8 and 15.

3 DEPENDENT CLAIMS 2-7, 9-14

Dependent claims 2-7, 9-14 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step (Article 33(3) PCT) (see references in the search report).